

Monterey County

*Monterey County Government Center
Board Chamber
168 W. Alisal St., 1st Floor
Salinas, CA 93901*



Action Minutes - Draft

Tuesday, January 10, 2017

9:00 AM

**See separate agenda for Board of Supervisors of the Monterey
County Water Resource Agency.**

Board of Supervisors

*Chair Mary L. Adams - District 5
Vice Chair Luis Alejo - District 1
Supervisor John M. Phillips - District 2
Supervisor Simon Salinas - District 3
Supervisor Jane Parker - District 4*

9:00 A.M. - Call to Order

The meeting was called to order by Chair Parker.

Roll Call

Not present: Supervisor Dave Potter and Supervisor Fernando Armenta.

Present: Diego Celis, Interpreter

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

Presentation of the Colors

Chair Parker recognized distinguished guests in attendance.

Chair Parker invited the Salinas Elks Lodge #614 Flag Honor Guard to post the Colors.

National Anthem

The Monterey District Choir Ensemble sang the National Anthem.

Pledge of Allegiance

The Pledge of Allegiance was led by Clerk of the Board, Gail T. Borkowski.

9:00 A.M. - Swearing-In Ceremony

The Oath of Office was administered to First District Supervisor Luis Alejo by Karina Cervantes Alejo; Fourth District Supervisor Jane Parker by Luther Hert; and Fifth District Supervisor Mary L. Adams by Honorable Richard Silver (Retired).

Supervisor Luis Alejo thanked the amazing people of District 1 and Monterey County. He thanked his family, friends. He thanked his wife Karina Cervantes Alejo, a great public servant, for administering his oath today in front of his mother, his family and his community. He noted anything that he has accomplished has been with her advice and support. He thanked the people that came today and thanked his supporters that are now allowing him to serve them honorably in this new capacity as County Supervisor. He gave special recognition and thanks to Danny Dodge who walked with him every weekend for months on end.

Supervisor Alejo introduced his staff: Chief of Staff Linda Gonzalez, Javier Gomez, Legislative Aide and Office Manager Shane McKiethen who will continue to work hard for Monterey County. An open house will be held next week for his new office on the 2nd Floor of the County Building.

Supervisor Alejo commended Fernando Armenta for his many years of public service to Monterey County. They spoke during the CSAC annual conference and he expressed his appreciation for the advice and suggestions shared by Mr. Armenta. He expressed his sincere commitment to collaboration with Mr.

Armenta, his supporters to lift up the families and youth of District 1. With his experience and relationships they can do a lot of good together. They will both set good examples for the youth and families in Monterey County and make them proud.

He is humbled to begin this journey as the youngest member of the County Board of Supervisors, noting he was deeply honored to serve as the County's Assemblymember for the last six years and get dozens of landmark bills and resolutions signed into law, solve some of the state's most pressing problems across party lines and to bring in 10s of millions of dollars of resources to the County.

Supervisor Alejo acknowledged that he has not forgotten where he came from and who got him here. He recounted his families journey to Salinas family and their struggles and sacrifices and shared dreams and aspirations of other families in Monterey County to improve their lives. He was taught at a young age to use education to improve not only his own life, but the lives of others in our communities, believing that when we lift up the poor & marginalized, we lift ourselves up.

His top priorities include making neighborhoods safer, more parks, treat poorest and homeless with respect to find housing; affordable housing for poor and seniors;

Supervisor Alejo expressed his commitment to be a champion to protect our farmworkers and other immigrant from draconian laws and efforts that will target them, as we enter a difficult time and an era of fear for a big sector of our community. He's confident that he and his colleagues, the governor and will stand up to protect them and the work and support them to continue to make an honest living in Monterey County. Supervisor Alejo read some of his comments in Spanish. Supervisor Alejo expressed his pleasure at working with his new colleagues on the Board and stated there is no greater calling than public service.

Supervisor Adams expressed her appreciation for long time mentor and friend Sam Farr. She also thanked Supervisor Alejo and advised she appreciates the energy he brings to the Board and looks forward to working with all the Board members.

She thanked the voters in the 5th District and her family for being here today and for their support, hugs, cheers and laughter. She thanked her many friends who have been with her throughout the campaign and much of her life.

She thanked and commended the new 5th District team, Kate Daniels - Chief of Staff, Yuri Anderson - Policy Advisor and Susan Moore - Administrative Assistant for all that they do. They have worked diligently to prepare their office and they are ready! She hopes you're ready for them.

Supervisor Adams advised that she has maintained one vision throughout the campaign and that it effective governance for Monterey County. She noted that Monterey County is an exceptional place to live. The first thing she learned on the campaign trail is how much the people who live here, love it here. The

second thing she learned is that people who live here really want to help all facets of the community thrive and that's something we can do together. She stated that working together we can achieve greater goals and greater things. She commented that she stands on the shoulders of so many that have gone before her. Many people on this board who have worked very, very hard in many different elements of community and public service to bring us to where we are. Supervisor Adams stated it's a tremendous honor to move forward and to look ahead for the things we can do together. She thanked everyone for entrusting her with their confidence as she moves forward to address the future of the 5th District for everyone.

Jane Parker commented on her re-election and thanked her family and supporters. Supervisor Parker thanked everyone for being here to wish her well. She thanked her sisters Kerry and Anne, her Campaign Manager Nara Dahlbacka, her staff and their off-spring. It is an honor to serve the residents of District 4 and this entire county. Supervisor Parker is grateful to the voters for the opportunity to serve a third term to continue the work that started 12 years ago. So many people have supported her in her political career, donors and volunteers who stood with her and believed in her in the early days, and volunteers who have show up again and again, walked precincts to share with voters values she is promoting. Staff has sorting through complex issues, listening to constituents devising solutions, working through the maze of government to achieve results all the while helping her evolve her thinking and explore ideas. She said its fantastic to have strong, intelligent and caring staff.

What drives all of us is greater transparency and accountability in government, the urgent need to create sustainable policies and practices to preserve Monterey County for future generations. The vision for a society where residents have access to health care, living wage jobs, affordable housing and communities free of violence. Challenging goals, but we give it our best efforts everyday. Little by little, we make progress.

Supervisor Parker noted victories in 2016, including the defeat of the Monterey Downs project. She congratulated District 4 residents for their eight year perseverance and the election of Kayla Jones, the first woman on the Seaside City Council in 20 years. This is a victory for the increasing number of women in elected office. She noted with the election of Supervisor Mary Adams to the Board of Supervisors, the Board now exceeds the 30% threshold for women, the minimum representation needed to have the most thorough discussion of issues and policies on the Board. She is grateful to District 5 voters for her new colleague.

She further commented that the November election also revealed some clear priorities and values in the politics of Monterey County. Citizens voted to ban fracking by a clear majority demonstrating their concern for protecting water and the environment. She also commented on other state measure election results.

It is Supervisor Parker's hope that her service and this Board recognizes and represents values and priorities held dear by residents. She knows there will be challenges.

And Supervisor Parker vowed to continue to fight for a society that values all people regardless of race gender, sexual orientation or immigration status; a society that understands that we are interdependent with our natural

environment and living sustainably is the only path forward for our human race; a society that operates on principals of compassion and understanding rather than fear and hate. She invites all that listened to join her.

Supervisor Salinas and Supervisor Phillips congratulated Supervisors Alejo, Adams and Parker on their elections and re-elections and welcomed them to the Board.

1. Nominate and elect members of the Monterey County Board of Supervisors to serve as:
 - a. 2017 Chair; and
 - b. 2017 Vice Chair

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to elect Mary L. Adams as Chair and Luis Alejo as Vice Chair for 2017. ALL AYES

2. Presentation of plaque to outgoing Chair Jane Parker
 - a. Comments by outgoing Chair;
 - b. Comments by Supervisors; and
 - c. Comments by incoming Chair

Chair Adams presented the plaque to outgoing Chair Jane Parker and thanked her for her service as Chair in 2016. Supervisor Parker commented on her year as Chair.

Supervisor Mary Adams comments as incoming Chair.

Additions and Corrections

Due to the need for immediate consideration by the Board of matters which arose after the posting of today's agenda, as provided in Section 54954.2 of the California Government Code the Board is asked to make the following addition:

Addition to Consent Calendar – General Government

41.2 Adopt Resolution to:

- a. Ratify and extend the County Administrative Officer's Proclamation of a Local Emergency for a succession of enhanced winter storms occurring on January 3-4 and 7-8, 2017 which has resulted in multiple significant rainfall and events causing damage to public infrastructure within Monterey County; and,
- b. Find the repair work statutorily exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15269(c) for emergency projects (4/5th vote required).

Addition to Consent Calendar – General Government

41.3 Adopt Resolution to:

- a. Ratify and extend the County Administrative Officer's Proclamation of a Local Emergency for sandbar management activities that are required at the Salinas River Lagoon Mouth; and,
- b. Find the repair work statutorily exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15269(c) for emergency projects (4/5th vote required).

The Clerk of the Board advised the Board of the following:

NOTE: Under Ceremonial Resolutions

5.1 This item was published on the agenda. Due to technical difficulties, the attachment did not display. The Resolution has been made available to all Board members and the public.

Adopt Resolution recognizing Mary Bannister, RG CEG General Manager of the Pajaro Valley Water management Agency upon her retirement after 17 Years of Service. (Supervisor Phillips) (ADDED VIA ADDENDUM)

A motion was made by Supervisor Jane Parker, seconded by Supervisors John M. Phillips to approve additions and corrections to the agenda. ALL AYES

Consent Calendar

- 3.** Approval of Consent Calendar (See Supplemental Sheet)

Julie Filice requested item #12 be pulled. It was clarified that this is an item under Appointments and she would have an opportunity to speak under Appointments.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to approve the Consent Calendar (See Supplemental Sheet). ALL AYES

Ceremonial Resolutions

- 4.** Adopt Resolution commending Correctional Sergeant Edward Durham, upon his retirement after 15 years of Public Service with the Monterey County Sheriff's Office. (Supervisor Parker)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-001 commending Correctional Sergeant Edward Durham, upon his retirement after 15 years of Public Service with the Monterey County Sheriff's Office. (Supervisor Parker) ALL AYES

- 5.** Adopt Resolution commending Detective Matthew Davis upon his retirement from 29 years of Public Service with the Monterey County Sheriff's Office. (Full Board)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-002 commending Detective Matthew Davis upon his retirement from 29 years of Public Service with the Monterey County Sheriff's Office. (Full Board). ALL AYES

- 5.1** Adopt Resolution recognizing Mary Bannister, RG CEG General Manager of the Pajaro Valley Water Management Agency upon her retirement after 17 Years of Service. (Supervisor Phillips) (ADDED VIA ADDENDUM)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-003 recognizing Mary Bannister, RG CEG General Manager of the Pajaro Valley Water Management Agency upon her retirement after 17 Years of Service. (Supervisor Phillips) ALL AYES

Appointments

6. Reappoint James Bogan to the Commission on Disabilities representing United Veterans Council for a term ending December 31, 2019. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to reappoint James Bogan to the Commission on Disabilities representing United Veterans Council for a term ending December 31, 2019. (Full Board) ALL AYES**
7. Reappoint James Bogan to the Equal Opportunity Advisory Commission representing United Veterans Council for a term ending December 31, 2019. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to reappoint James Bogan to the Equal Opportunity Advisory Commission representing United Veterans Council for a term ending December 31, 2019. (Full Board) ALL AYES**
8. Reappoint Elliott Robinson to the Equal Opportunity Advisory Commission representing Department Heads Council for a term ending December 31, 2019. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to reappoint Elliott Robinson to the Equal Opportunity Advisory Commission representing Department Heads Council for a term ending December 31, 2019. (Full Board) ALL AYES**
9. Reappoint Kendra Bobsin to the Monterey County Child Care Planning Council representing providers for a term ending June 30, 2018. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to reappoint Kendra Bobsin to the Monterey County Child Care Planning Council representing providers for a term ending June 30, 2018. (Full Board) ALL AYES**
10. Reappoint Hazel Tompkins to the Military & Veterans Affairs Advisory Commission for a term ending January 1, 2020. (Supervisor Parker)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to reappoint Hazel Tompkins to the Military & Veterans Affairs Advisory Commission for a term ending January 1, 2020. (Supervisor Parker) ALL AYES**
11. Appoint Vicky Mora Escobar to the Soledad Cemetery District to fill an unscheduled vacancy for a term ending February 1, 2019. (Supervisor Salinas)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to appoint Vicky Mora Escobar to the Soledad Cemetery District to fill an unscheduled vacancy for a term ending February 1, 2019. (Supervisor Salinas) ALL AYES**
12. Reappoint Jess T. Barreras to the Equal Opportunity Advisory Commission

representing SEIU for a term ending December 31, 2019. (Full Board)

Public comment: Julie Filice.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to continue consideration of the appointment of Jess T. Barreras to the Equal Opportunity Advisory Commission representing SEIU to a future date. ALL AYES

- 13.** Reappoint Thomas Henry Shields to the Area Agency on Aging Advisory Council for a term ending January 1, 2020. (Supervisor Phillips)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to reappoint Thomas Henry Shields to the Area Agency on Aging Advisory Council for a term ending January 1, 2020. (Supervisor Phillips) ALL AYES**
- 14.** Reappoint Brent Plemmons to the Resource Conservation District Board of Directors for a term ending November 30, 2020. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to reappoint Brent Plemmons to the Resource Conservation District Board of Directors for a term ending November 30, 2020. (Full Board) ALL AYES**
- 15.** Reappoint Benny Jefferson to the Resource Conservation District Board of Directors for a term ending November 30, 2020. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to reappoint Benny Jefferson to the Resource Conservation District Board of Directors for a term ending November 30, 2020. (Full Board) ALL AYES**
- 16.** Reappoint Linda Ferrasci to the Resource Conservation District Board of Directors for a term ending November 30, 2020. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to reappoint Linda Ferrasci to the Resource Conservation District Board of Directors for a term ending November 30, 2020. (Full Board) ALL AYES**
- 17.** Reappoint Rebecca King to the Resource Conservation District Board of Directors for a term ending November 30, 2020. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to reappoint Rebecca King to the Resource Conservation District Board of Directors for a term ending November 30, 2020. (Full Board) ALL AYES**
- 18.** Reappoint Andrea Monroe to the Equal Opportunity Advisory Commission representing NAACP for a term ending December 31, 2019. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to reappoint Andrea Monroe to the Equal Opportunity Advisory Commission representing NAACP for a term ending December 31, 2019. (Full Board) ALL AYES**

Other Board Matters

- 18.1**
- a. Approve dissolution of the Board of Supervisors/Natividad Medical Center Joint Leadership Committee;
 - b. Approve dissolution of the Parks Ad Hoc Committee;
 - c. Approve establishment of Board of Supervisors standing committee for Parks; and
 - d. Approve proposed assignment of Board of Supervisors members and staff to boards, committees, and commissions for calendar year 2017.

Motion No. 1: A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to:

- a. Approve dissolution of the Board of Supervisors/Natividad Medical Center Joint Leadership Committee;**
- b. Approve dissolution of the Parks Ad Hoc Committee;**
- c. Approve establishment of Board of Supervisors standing committee for Parks. ALL AYES**

Motion No. 2: A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to: d. Approve proposed assignment of Board of Supervisors members and staff to boards, committees, and commissions for calendar year 2017, with the following revised designations: Wendy Askew as the Alternate for TAMC and Colleen Beye as the Alternate for the Monterey County Children's Council. ALL AYES

19. Board Comments

Supervisor Adams encouraged the public to attend the District 5 open house later today from 3:00 pm - 5:00 pm at the Monterey Courthouse, 1200 Aguajito Rd., Ste. 1, Monterey.

Supervisor Adams announced the WhaleFest event on the Old Fisherman's Wharf in Monterey on January 26th and 27th and invited everyone to attend.

20. CAO Comments and Referrals

County Administrative Officer Dr. Lew Bauman welcomed Supervisors Adams and Alejo to the Board and noted that being a Supervisor in Monterey County is a full-time job that includes its share of emergencies, including fires, flooding and drought. He thanked Supervisor Parker for her year as Chair of the Board and expressed his appreciation for her competent, patient and respectful service. He thanked the previous District 1 and District 5 Supervisors for their years of dedicated service to their constituents and Monterey County.

Dr. Bauman advised of a referral from Supervisor Parker (District 4) regarding the U.S. Department of Agriculture's Wildlife Services contract with Monterey County.

Supervisor Salinas requested that the referral be delayed to another date as he has concerns with the impacts on pending litigation.
A motion was made by Supervisor Jane Parker, seconded by Supervisor Simon

Salinas to trail this referral to the afternoon.

LATER ON THE RECORD: The Board directed County staff to return on January 24, 2017 with a presentation on the benefits or detriments of the U.S. Department of Agriculture's Wildlife Services contract with Monterey County and discussion of alternate programs to address crop and livestock protection.

21. General Public Comment

Beverly Bean; Larry Parrish; Laura Solorio; Cassandra Palmetto; Andy Hsia-Coron; Mary Hsia-Coron; Julie Filice; Mike Bare; Sam Farr; Hazel Tompkins; Susan Bradley; Shane McKeithen read message from Mayor Mike LeBarre of King City; Parker Moran; Regina Mason; Karina Cervantes Aljo; Hans Jongens; Luis Alejo's Mother; Steve Eklund; James Green; Wes White.

11:30 a.m - Recessed to Reception

The Board reconvened into Closed Session after the reception at a time indicated by the Chair.

Closed Session Report from December 22, 2016

22. Closed Session under Government Code section 54950, relating to the following items:

- a. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) Chevron U.S.A. Inc., et al. v. County of Monterey, et al. (Monterey County Superior Court case no. 16-CV-003978)
 - (2) Aera Energy, LLC, et al. v. County of Monterey, et al. (Monterey County Superior Court case no. 16-CV-003980)
- b. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
 - (1) Property: Concession Agreement regarding Mazda Raceway at Laguna Seca
 - Agency Negotiator(s): Dewayne Woods, Assistant County Administrative Officer; Leslie J. Girard, Chief Assistant County Counsel
 - Negotiating Parties: Friends of Laguna Seca; World Automobile Championship of CA, LLC; International Speedway Corporation; and SCRAMP
 - Under negotiation: Price and Terms
- c. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
- d. Pursuant to Government Code section 54957.6, the Board will confer with negotiators:

(1) Designated representatives: Manuel Gonzalez and Brette Neal
Employee Organization(s): Unit S

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.
a, b, c. or d.

Closed Session for January 10, 2017

Additions and Corrections for Closed Session:

There were no additions or corrections to Closed Session.

Closed Session

23.

Closed Session under Government Code section 54950, relating to the following items:

a. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
b. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.

c. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding liability claims against the County of Monterey.
(1) Ricky Taylor
(2) Pamela Ward, individually and as GAL for Brandon and Markenna Ward

d. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
(1) Chevron U.S.A. Inc., et al. v. County of Monterey, et al., Monterey Superior Court, case no. 16CV003978
(2) Aera Energy LLC v. County of Monterey, et al., Monterey Superior Court, case no. 16CV003980

e. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
(1) Designated representatives: Manuel Gonzalez and Brette Neal
Employee Organization(s): Unit S (ADDED VIA ADDENDUM)

CLOSED SESSION REPORT

Closed Session under Government Code section 54950, relating to the following items:

a. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
CLOSED SESSION REPORT: The Board took no reportable action on item 1.a.

b. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.

CLOSED SESSION REPORT: The Board took no reportable action on item 1.b.

c. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding liability claims against the County of Monterey.

(1) Ricky Taylor

(2) Pamela Ward, individually and as GAL for Brandon and Markenna Ward

CLOSED SESSION REPORT: The Board unanimously rejected the claims of: (1) Ricky Taylor; and (2) Pamela Ward, individually and as GAL for Brandon and Markenna Ward.

d. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:

(1) Chevron U.S.A. Inc., et al. v. County of Monterey, et al., Monterey Superior Court, case no. 16CV003978

(2) Aera Energy LLC v. County of Monterey, et al., Monterey Superior Court, case no. 16CV003980

CLOSED SESSION REPORT: The Board took no reportable action on item 1.d. (1) and (2).

e. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:

(1) Designated representatives: Manuel Gonzalez and Brette Neal

CLOSED SESSION REPORT: The Board took no reportable action on item 1.e. (1).

Employee Organization(s): Unit S (ADDED VIA ADDENDUM)

Adjournment

APPROVED:

**MARY L. ADAMS, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

BY: _____

**GAIL T. BORKOWSKI
CLERK OF THE BOARD**

APPROVED ON _____

Supplemental Sheet, Consent Calendar**Natividad Medical Center**

24. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 1 to the Agreement with Automatic Door Systems Inc. for Maintenance and Repair of Automatic Door Services at NMC, adding \$110,000 for a revised total Agreement amount not to exceed \$200,000 and extending the term of the Agreement for an additional eighteen (18) month period through December 31, 2018.
- Approved - Agreement No. A-13410**
25. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 1 to the agreement (A-13067) with Medical Information Technology, Inc. for software interface services adding \$22,425 for a revised total agreement amount not to exceed \$119,459, an implementation term effective on the date of County's execution, through December 31, 2017; and
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) (\$11,945.90) of the original cost of the agreement per each amendment.
- Approved - Agreement No. A-13067**
26. Authorize the County Counsel to execute an agreement with the Law Offices of Stephenson Acquisti & Colman, Inc. for specialized attorney services at Natividad Medical Center for an amount not to exceed \$300,000 with an agreement term of January 11, 2017 through June 30, 2021 or with an end date which concludes at the completion of the requested services, whichever comes first.
- Approved - Agreement No. A-13409**
27. Authorize the Chief Executive Officer of Natividad Medical Center (NMC) to execute Addendum A ("Addendum") to America's Choice Provider Network Participating Hospital Agreement, adding reimbursement language for professional fees services billed by Natividad Medical Center, beginning September 1, 2016 and making no changes to the Agreement term of September 1, 2016 through August 31, 2017.
- Approved - Agreement No. A-13269**
28. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Agreements with Leidos Health, LLC and Jacobus Consulting, Inc., pursuant to the Request for Proposal (RFP) No.

9600-67 for information technology (IT) consulting services, with an agreement term beginning on the date the agreements are fully executed (January 11, 2017) through January 10, 2018, plus the option to extend the agreements for four (4) additional one year periods;

b. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Agreements with Navin Haffty & Associates, LLC pursuant to the Request for Proposal (RFP) No. 9600-67 for information technology (IT) consulting services, with an agreement term April 1, 2017 through January 10, 2018 plus the option to extend the agreements for four (4) additional one year periods;

c. Authorize an aggregate total amount not to exceed \$3,864,000 across all agreements awarded from RFP No. 9600-67 for the initial term through January 10, 2018; and

d. Authorize the Deputy Purchasing Agent for NMC or his designee to execute similar additional agreements for IT consulting services with qualified contractors who meet the minimum requirements of the County of Monterey under RFP No. 9600-67 using the same County of Monterey standard terms and conditions, where each individual agreement added does not increase the total aggregate amount authorized, subject to County Counsel and County Auditor-Controller review and approval.

Approved - Agreement Nos. A-13411 (Leidos Health, LLC); A-13412 (Jacobus Consulting, Inc.); A-13413 (Navin Haffty & Associates, LLC)

29. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Addendum No. 1 to the Letter of Agreement with The Advisory Board Company for member enrollment in leader development for physicians adding \$101,024 for a revised total agreement amount not to exceed \$305,946 with no change to the agreement term of December 31, 2015 through December 30, 2018.

Approved - Agreement No. A-13407

30. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an Agreement, with a retroactive start date of January 1, 2017, with UHS Surgical Services, Inc. (UHS), for the provision of Lithotripsy, Cryotherapy and Laser Guided Imagery services, containing non-standard risk terms regarding indemnification, disclaimer of warranties and liability limitation, in the amount of \$125,000, for the period of January 1, 2017 through December 31, 2020.
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the Agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (\$12,500) of the original cost of the Agreement per each Amendment.

Approved - Agreement No A-13418

Health Department

31. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign a Standard Agreement with Access Support Network (ASN) in the amount not to exceed \$474,685 for additional Human Immunodeficiency Virus (HIV) non-medical case management services to Ryan White Part B eligible clients for the period of ~~December 1, 2016~~ January 11, 2017 to September 15, 2017. (REVISED VIA SUPPLEMENTAL)

Approved - Agreement No. A-13421

32. a. Adopt a resolution with current and updated California Department of Resources, Recycling, and Recovery specific language authorizing the Monterey County Health Department to submit to Department of Resources, Recycling and Recovery ("CalRecycle") all documents related to the Waste Tire Program cycle for December 1, 2016 through December 1, 2020; and
b. Authorize the Director of Health or Assistant Director of Health to execute all documents associated with the Waste Tire Program during the period authorized; and to receive funds associated with it to carry out the objectives as outlined in the program as the signature authority

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to: a. Adopt Resolution No. 17-007 with current and updated California Department of Resources, Recycling, and Recovery specific language authorizing the Monterey County Health Department to submit to Department of Resources, Recycling and Recovery ("CalRecycle") all documents related to the Waste Tire Program cycle for December 1, 2016 through December 1, 2020; and

b. Authorize the Director of Health or Assistant Director of Health to execute all documents associated with the Waste Tire Program during the period authorized; and to receive funds associated with it to carry out the objectives as outlined in the program as the signature authority. ALL AYES

Department of Social Services

33. a. Approve and authorize the Director of the Department of Social Services to sign an agreement with Seneca Family of Agencies (Seneca) for Intensive Treatment Foster Care (ITFC) Services for eligible foster care youth for the period retroactive to July 1, 2016 through June 30, 2019; and
b. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to this agreement where the amendment does not significantly change the scope of work.

Approved - Agreement No. A-13420

34. a. Amend the Department of Social Services Budget Unit 001-5010-SOC003-8260 to add one (1) Office Assistant II;
b. Authorize the County Administrative Office to incorporate the changes to

the FY 2016-17 Adopted Budget Unit 001-5010-SOC003-8260 to reflect the change in position counts; and
c, Adopt a resolution to authorize the Auditor-Controller's Office to increase estimated revenues and appropriations in Budget Unit 001-5010-SOC003-8260 by \$34,903 by incorporating approved modifications in the FY 2016-17 Adopted Budget (4/5th vote required).

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to: Adopt Resolution No. 17-009 to :

- a. Amend the Department of Social Services Budget Unit 001-5010-SOC003-8260 to add one (1) Office Assistant II;**
- b. Authorize the County Administrative Office to incorporate the changes to the FY 2016-17 Adopted Budget Unit 001-5010-SOC003-8260 to reflect the change in position counts; and**
- c. Authorize the Auditor-Controller's Office to increase estimated revenues and appropriations in Budget Unit 001-5010-SOC003-8260 by \$34,903 by incorporating approved modifications in the FY 2016-17 Adopted Budget (4/5th vote required). ALL AYES**

- 35.**
- a. Approve and authorize the Director of the Department of Social Services, to sign Amendment No. 1 to funding agreement MI-1517-32 to add \$19,953 in funding for total funding of \$34,093 from the California Department of Aging for the Medicare Improvements for Patients and Providers Act of the Health Insurance Counseling and Advocacy Program retroactive for the period September 30, 2015 through September 29, 2017;
 - b. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to this agreement, where the total amendments do not exceed 10% of the amended contract amount (\$3,409), and do not significantly change the scope of work; and
 - c. Approve and authorize the Auditor-Controller to amend the FY 2016-17 Adopted Budget for the Department of Social Services-Area Agency on Aging Unit 001-5010-SOC010-8268 by increasing appropriations and revenues for MIPPA of \$12,970 and the Older Americans Act, Title III, C-2 \$19,697 for a total of \$32,667 (4/5ths vote required).

Approved - Agreement No. A-13090

- 36.**
- Approve and authorize the Director of the Department of Social Services or his designee to transfer a vehicle to the California Department of Aging.

Approved

Criminal Justice

- 37.**
- a. Approve and Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to sign a Standard Professional Services Agreement with Ricky C. Hagenbuch, DBA Rayne of Monterey and Salinas for water softening and conditioning equipment repairs and maintenance for the Sheriff's Office for services at the Monterey County Jail, for a term retroactive from July 1, 2016 to June 30, 2018 in the amount of \$50,000;

and

- b. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to sign up to two (2) future amendments to the agreement where the amendment does not significantly change the scope of work, and where the amendments in total do not increase the contract value more than ten percent (10%) (\$5,000) for a revised maximum contract amount of \$55,000.

Approved - Agreement No. A-13422

General Government

- 38. Approve a Policy for Expenditures for the Efficiency of County Operations, Convenience and Benefit of Employees, Visitors, and Volunteers, effective January 1, 2017.

Approved

- 39.
 - a. Approve and authorize the Assessor to enter into a two year agreement on behalf of Monterey County for a Petroleum and Geothermal Property Sales Study between California Assessor's Association Members and Harold W. Bertholf, Inc. retroactive to November 1, 2016 through October 31, 2018; and
 - b. Accept non-standard contract provisions as recommended by the Assessor.

Approved - Agreement No. A-13423

- 40. Approve and authorize the Interim Director of Information Technology to execute Amendment No. 3 to the Agreement between Best, Best & Krieger LLP and the County of Monterey, adding \$35,000 to the existing contract amount of \$100,000, for legal services related to the Charter Communications/Time Warner Cable merger and for additional legal services requiring telecommunications industry expertise.

Approved - Agreement No. A-13408

- 41. Approve and authorize a transfer totaling \$100,000.00 from General Fund Contingencies, 001-1050-8034-CAO020, to Enterprise Risk Fund, 001-1210-8429-COU006 for initial costs associated with defense of Measure Z.

Approved

- 41.1 Approve the Bingo License Application for San Antonio Betterment Association pursuant to Chapter 7.08 of the Monterey County Code effective January 10, 2017 through January 9, 2018.

Approved

- 41.2 Adopt Resolution to:
 - a. Ratify and extend the County Administrative Officer's

Proclamation of a Local Emergency for a succession of enhanced winter storms occurring on January 3-4, and 7-8, 2017 which has resulted in multiple significant rainfall and events causing damage to public infrastructure within Monterey County; and,

- b. Find the repair work statutorily exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15269(c) for emergency projects (4/5th vote required).

A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to add this urgency item as 41.2 to the agenda. (See Additions & Corrections) ALL AYES

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-004 to: a. Ratify and extend the County Administrative Officer's Proclamation of a Local Emergency for a succession of enhanced winter storms occurring on January 3-4, and 7-8, 2017 which has resulted in multiple significant rainfall and events causing damage to public infrastructure within Monterey County; and,
b. Find the repair work statutorily exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15269(c) for emergency projects (4/5th vote required). ALL AYES

41.3

Adopt Resolution to:

- a. Ratify and extend the County Administrative Officer's Proclamation of a Local Emergency for sandbar management activities that are required at the Salinas River Lagoon Mouth; and,
- b. Find the repair work statutorily exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15269(c) for emergency projects (4/5th vote required).

A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to add this urgency item to the agenda as item 41.3. ALL AYES

A motion was made by Supervisor Simon Salinas, seconded by Supervisor Luis Alejo to: Adopt Resolution No. 17-005 to:
a. Ratify and extend the County Administrative Officer's Proclamation of a Local Emergency for sandbar management activities that are required at the Salinas River Lagoon Mouth; and,
b. Find the repair work statutorily exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15269(c) for emergency projects (4/5th vote required). ALL AYES

RMA-Administration

42.

- a. Approve Amendment No. 4 to Professional Services Agreement No. A-12567 with Schaaf and Wheeler and Amendment No. 4 to Professional Services Agreement No. A-12577 with Wallace Group to continue to provide services associated with on-call County Service Area (CSA)/County Sanitation District (CSD) engineering services (Request for Qualifications No. 10249) to extend the expiration date from January 25, 2017 for one (1) additional year through January 25, 2018, for a revised term from January 25,

2012 to January 25, 2018, with no associated dollar amount increase to the total not to exceed amount of \$200,000 for the respective Professional Services Agreement;

b. Approve Amendment No. 4 to Professional Services Agreement, with Whitley Burchett & Associates, Inc. to continue to provide Services associated with on-call County Services Area (CSA)/County Sanitation District (CSD) engineering services (Request for Qualifications No. 10249) to extend the expiration date from January 25, 2017 for one (1) additional year through January 25, 2018, for a revised term from January 25, 2012 to January 25, 2018, with no associated dollar amount increase to the total not to exceed amount of \$100,000 for said Agreement;

c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 4 to each Professional Services Agreement; and

d. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute future amendments which extend the term beyond the original term authorized in Request for Qualifications No. 10249 where the amendments do not significantly alter the scope of work or change the approved amount of the respective Professional Services Agreement.

Approved

- 43.** Adopt a Resolution to approve the amendments to the Conflict of Interest Code of the Department of Parks of Monterey County.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-013 to approve the amendments to the Conflict of Interest Code of the Department of Parks of Monterey County. ALL AYES

- 44.** Adopt a Resolution to approve the amendments to the Conflict of Interest Code of the Resource Management Agency.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-010 to approve the amendments to the Conflict of Interest Code of the Resource Management Agency. ALL AYES

RMA - Land Use and Community Development

- 45.** PLN060581 Micheletti (Premier Real Estate Inc.)
- a. Approve the Parcel Map for a minor subdivision to divide a 15,051 square foot parcel into three (3) 5,016 square foot lots;
- b. Direct the Clerk of the Board to submit the Parcel Map to the County Recorder for filing, with filing fees paid by the applicant.
- (Parcel Map - PLN060581/Micheletti [Premier Real Estate Inc], 11450 Poole Street, Castroville, Castroville Community Plan and North County Area Plan)
- Proposed CEQA Action: Final Map acceptance is a ministerial action exempt under CEQA.

Approved

RMA- Public Works and Facilities

- 46.
- a. Approve Amendment No. 5 to Professional Services Agreement No. A-12818, Multi-Year Agreement No. 3000*270, with Bender Rosenthal, Inc. to continue to provide services associated with on-call real estate services (Request for Qualifications #10249) to extend the expiration date from January 31, 2017 for one (1) additional year through January 31, 2018, for a revised term from January 31, 2012 to January 31, 2018, with no associated dollar amount increase to the Agreement's total not to exceed amount of \$200,000;
 - b. Approve Amendment No. 4 to Professional Services Agreement No. A-12819, Multi-Year Agreement No. 3000*269, with Universal Field Services, Inc. to continue to provide services associated with on-call real estate services (Request for Qualifications #10249) to extend the expiration date from January 31, 2017 for one (1) additional year through January 31, 2018, for a revised term from January 31, 2012 to January 31, 2018, with no associated dollar amount increase to the Agreement's total not to exceed amount of \$200,000;
 - c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 5 and Amendment No. 4 to each Professional Services Agreement; and
 - d. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute future amendments to each Professional Services Agreement to extend the term beyond the original term authorized in Request for Qualifications No. 10249 where the amendments do not significantly alter the scope of work or change the approved amount of each Agreement.

Approved - Agreement Nos. A-12818 (Bender Rosenthal, Inc.); A-12819 (Universal Field Services, Inc.)

- 47.
- Adopt a Resolution to:
- a. Ratify the submittal of a grant application to the State of California - The Natural Resources Agency California Department of Forestry and Fire Protection for State Responsibility Area Fire Prevention Fund and Tree Mortality Grant Program (SRAFPF & TM) grant funds of \$200,000 for the Monterey County Fire Prevention and Tree Mortality Project; and
 - b. Approve a Grant Award from the State of California - The Natural Resources Agency California Department of Forestry and Fire Protection for State Responsibility Area Fire Prevention Fund and Tree Mortality Grant Program (SRAFPF & TM) in the amount of \$200,000 for the Monterey County Fire Prevention and Tree Mortality Project; and
 - c. Authorize the Resource Management Agency Director or the Director's designee to execute an agreement between the County and the California Department of Forestry and Fire Protection (CAL FIRE) and to sign and execute invoices on behalf of the County; and

d. Authorize the Resource Management Agency Director or the Director's designee to act as the agent for the County, to execute an agreement between the County and CAL FIRE, and to sign and execute invoices on behalf of the County.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to adopt Resolutio No. 17-006 to:

- a. Ratify the submittal of a grant application to the State of California - The Natural Resources Agency California Department of Forestry and Fire Protection for State Responsibility Area Fire Prevention Fund and Tree Mortality Grant Program (SRAFPF & TM) grant funds of \$200,000 for the Monterey County Fire Prevention and Tree Mortality Project; and**
- b. Approve a Grant Award from the State of California - The Natural Resources Agency California Department of Forestry and Fire Protection for State Responsibility Area Fire Prevention Fund and Tree Mortality Grant Program (SRAFPF & TM) in the amount of \$200,000 for the Monterey County Fire Prevention and Tree Mortality Project; and**
- c. Authorize the Resource Management Agency Director or the Director's designee to execute an agreement between the County and the California Department of Forestry and Fire Protection (CAL FIRE) and to sign and execute invoices on behalf of the County; and**
- d. Authorize the Resource Management Agency Director or the Director's designee to act as the agent for the County, to execute an agreement between the County and CAL FIRE, and to sign and execute invoices on behalf of the County. ALL AYES**

48.

- a. Approve Amendment No. 6 to Agreement No. A-12497 with Disaster Kleenup Specialists for Goods and/or Services Involving Hazardous Materials to continue to provide preventative maintenance and on-call services at County-wide facilities and to increase the amount of \$180,000 by \$50,000 for a total amount not to exceed \$230,000 with no extension to the Agreement's term of July 1, 2011 to June 30, 2017; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 6 to Agreement No. A-12497.

Approved - Agreement No. A-12497